



8-20-09

111EV698275839US

IFW DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: In re Application of  
Dennis L. MONTGOMERY Examiner: H. Mahmoudi  
Serial No. 09/727,096 Art Unit 2175  
Filed: November 29, 2000 Atty Docket: 042503-0261928  
Title: Method And Apparatus For Encoding Information Using Multiple Passes And  
Decoding In A Single Pass

**REQUEST FOR WITHDRAWAL AS ATTORNEY**  
**(37 C.F.R. Section 10.40(c))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir/Madam:

1. I, David A. Jakopin, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

2. The basis for the request for withdrawal is 37 C.F.R. 10.40(c). Mr. Warren Trepp of eTreppid Technologies, LLC (the Assignee) requested through a telephone conversation on October 29, 2007, that Pillsbury Winthrop Shaw Pittman LLP ("Pillsbury") informing me that Pillsbury was to do no further work for any patent applications listing Dennis Montgomery as an inventor.

3. A letter confirming this conversation was mailed on October 30, 2007 (copy attached in Exhibit A (as an attachment to 12/28/07 letter)).

4. A letter dated December 28, 2007, further confirming the stop work request (copy attached as Exhibit A). Based on the client's request, we performed no further work on this application.

5. An appeal was filed on April 24, 2007, to which the Examiner replied on August

9, 2007. We informed the client by an email dated October 3, 2007 (copy attached as Exhibit B). On October 29, 2007, we were asked not to do any further work on this application. Therefore, no reply was filed.

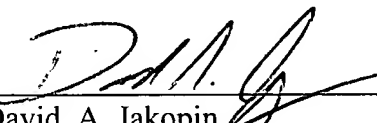
6. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including attachments, is being sent to the client. A Certificate of Proof of Service of this Request for Withdrawal as Attorney is attached hereto.

7. A copy of the recorded Assignment assigning Dennis L. Montgomery's interest in this application to eTreppid Technologies, LLC at Reel 011714, Frame 0432 is attached as Exhibit C.

8. A copy of the Power of Attorney filed in this application showing the attorneys and their registration numbers is attached as Exhibit D. As an authorized representative and the attorney who prosecuted this application, I am signing this document requesting withdrawal as attorney of record.

Date: 8-19, 2009

Respectfully submitted,

By   
David A. Jakopin  
Registration No. 32995  
Customer No.: 27498

PILLSBURY WINTHROP SHAW PITTMAN LLP  
Intellectual Property Group  
P. O. Box 10500  
McLean, VA 22102  
Telephone: (650) 233-4510  
Facsimile: (703) 770-7901



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: In re Application of  
Dennis L. MONTGOMERY Examiner: H. Mahmoudi  
Serial No. 09/727,096 Art Unit 2175  
Filed: November 29, 2000 Atty Docket: 042503-0261928  
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Decoding In A Single Pass

**CERTIFICATE OF SERVICE BY MAIL OF**  
**REQUEST FOR WITHDRAWAL AS ATTORNEY**  
**(37 C.F.R. Section 10.40(c))**

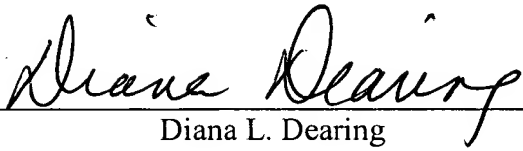
I, Diana L. Dearing, the undersigned, hereby declare as follows:

1. I am over the age of 18 years and am not a party to the within cause. I am employed by Pillsbury Winthrop Shaw Pittman LLP in the City of Palo Alto, California.
2. My business address is 2475 Hanover Street, Palo Alto, CA 94304-1114.
3. I am familiar with Pillsbury Winthrop Shaw Pittman LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service; in the ordinary course of business, correspondence placed in interoffice mail is deposited with the United States Postal Service with first class postage thereon fully prepaid on the same day it is placed for collection and mailing.
4. On , August 18, 2009, at 2475 Hanover Street, Palo Alto, California, I served a true copy of the attached document(s) titled exactly REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. Section 10.40(c)) by placing it/them in an addressed, sealed envelope clearly labeled to identify the person being served at the address shown below and placed in interoffice mail for collection and deposit in the United States Postal Service on that date following ordinary business practices:

Warren Trepp  
eTreppid Technologies, LLC  
755 Trademark Drive  
Reno, NV 89521

Douglas J. Frye, Esq.  
Attorney  
Frye & Hsieh, LLP  
24955 Pacific Coast Highway  
Suite A201  
Malibu, CA 90265-4747

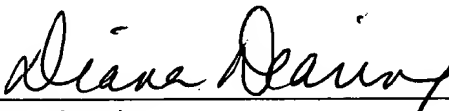
I declare under penalty of perjury that the foregoing is true and correct. Executed this 19<sup>th</sup>  
day of August 2009, at Palo Alto, California.

  
Diana L. Dearing



# CERTIFICATE OF EXPRESS MAILING

I, Diana Dearing, hereby certify that the Request for Withdrawal as Attorney (37 C.F.R. Section 10.40(c)), along with Exhibits A through D, is being deposited with the United States Postal Service, Express Mail #EV698275839US, postage prepaid, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on August 19, 2009.

  
Diana Dearing



Pillsbury  
Winthrop  
Shaw  
Pittman<sup>LLP</sup>

2475 Hanover Street  
Palo Alto, CA 94304-1114

Tel 650.233.4500  
Fax 650.233.4545  
[www.pillsburylaw.com](http://www.pillsburylaw.com)

December 28, 2007

David A. Jakopin  
Phone: 650.233.4790  
[david.jakopin@pillsburylaw.com](mailto:david.jakopin@pillsburylaw.com)

*Via e-mail and Federal Express*

Warren Trepp  
eTreppid Technologies, LLC.  
755 Trademark Drive  
Reno, NV 89521  
[warren@etreppid.com](mailto:warren@etreppid.com)

Douglas J. Frye  
Frye & Hsieh, LLP  
24955 Pacific Coast Hwy  
Suite A-201  
Malibu, CA 90265  
[djfrye@etreppid.com](mailto:djfrye@etreppid.com)

Dear Mr. Trepp and Mr. Frye:

My letter of October 30, 2007, which letter is attached hereto, confirmed your instructions that Pillsbury should do no further work on patents or patent applications that name Dennis Montgomery as an inventor.

The firm's letter of December 12, 2007, which is also attached hereto, informed eTreppid that Pillsbury was disengaging with respect to any services that it had previously provided related to maintenance fee and annuity payments, as described in that letter. In light of the disengagement of this letter, the effective date of the disengagement for such service is today, rather than April 1, 2008, as set forth in that letter.

Pillsbury Winthrop Shaw Pittman ("Pillsbury") is now disengaging from working on any other eTreppid matter that may currently be pending. In addition to those matters identified in the attached October 30, 2007 and December 12, 2007, letters there have also been other litigation matters where Pillsbury has previously disengaged. With this letter, there is no pending matter where Pillsbury is currently representing eTreppid or any entity associated with eTreppid, including Mr. Trepp.

With respect to the disengagement of patent and trademark matters that we are disengaging on in this letter, I have attached to this letter, a list of all such matters. Pillsbury will not perform any further work on these cases, and that as such they will abandon in due course unless eTreppid acts upon them in some way.

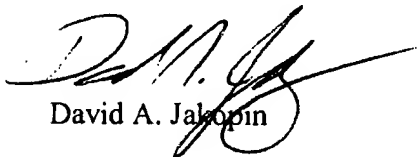
Mr. Warren Trepp  
Mr. Douglas J. Frye  
December 28, 2007  
Page 2

With respect to the pending US applications on this list, we will file with the US Patent Office a notice of withdrawal, and with respect to US patent, US patent applications and US trademark applications we will file a change of correspondence address, so that future communications regarding these matters are sent directly to eTreppid. Unless eTreppid responds in a timely manner to such communications, the pending applications will go abandoned. Similarly, issued patents and pending foreign applications will go abandoned unless maintenance fees or annuities are timely paid, as indicated in our December 12, 2007, letter, previously referenced.

If you would like us to transfer these files, please let us know and we can do that.

Please let me know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. A. Jakopin', with a stylized flourish at the end.

David A. Jakopin

DAJ/jc

**Patent Status Report**  
**Client 042503 - eTreppid Technologies, LLC**

12/28/2007

Client Matter No.	Inventor(s)	Client Ref.	Country	Case Type	Application No.	Filing Date	Patent No.	Issue Date	Status	Title
042503-0261930	LEBREUX, Normand	ET-003	US	ORD					Inactive	
042503-0261931	LEBREUX, Normand	ET-004	US	ORD					Inactive	
042503-0261932	LEBREUX, Normand	ET-005	US	ORD					Inactive	
042503-0317466	SUN, Zehang	ET-019	US	PRI	11/398856	05-Apr-06			Abandoned	METHOD AND APPARATUS FOR ADAPTIVE MEAN SHIFT TRACKING
042503-0360790	SUN, Zehang	ET-019-PCT	WO	ORD	PCT/US2007/065924	04-Apr-07			Abandoned	METHOD AND APPARATUS FOR ADAPTIVE MEAN SHIFT TRACKING
042503-0317467	SUN, Zehang; ZHANG, Yongmian	ET-020	US	PRI	11/278808	05-Apr-06			Published	METHOD AND APPARATUS FOR PROVIDING MOTION CONTROL SIGNALS BETWEEN A FIXED
042503-0360791	SUN, Zehang; ZHANG, Yongmian	ET-020-PCT	WO	ORD	PCT/US2007/065926	04-Apr-07			Published	METHOD AND APPARATUS FOR PROVIDING MOTION CONTROL SIGNALS BETWEEN A FIXED
042503-0317468		ET-021	US	PRI					Inactive	CAMERA AND A PTZ CAMERA; COHERENT OBJECT DETECTION AND TRACKING
042503-0317469		ET-022	US	PRI					Inactive	HARDWARE VIDEO COMPRESSION
042503-0317470		ET-023	US	PRI					Inactive	HARDWARE BASED FACE DETECTOR
042503-0326015	TENNETI, Lalith	ET-024-P	US	PRO	60/779164	02-Mar-06			Converted	PACKET LOSS COMPENSATION ALGORITHM FOR UNICAST AND MULTICAST AUDIO AND VIDEO



**Patent Status Report**  
**Client 042503 - eTreppid Technologies, LLC**

12/28/2007

042503-0360222	TENNETI, Lalith	ET-024-PCT	WO	ORD	PCT/US2007/005680	02-Mar-07				Abandoned	PACKET LOSS COMPENSATION ALGORITHM FOR UNICAST AND MULTICAST AUDIO AND VIDEO
042503-0360214	TENNETI, Lalith	ET-024-U	US	ORD	11/681715	02-Mar-07				Abandoned	PACKET-LOSS COMPENSATION ALGORITHM FOR UNICAST AND MULTICAST AUDIO AND VIDEO
042503-0350387		ET-025	US	PRO						Inactive	OPTIMIZATION & COMPRESSION
<b>Client Matter No.</b>	<b>Mark</b>	<b>Client Ref.</b>	<b>Country</b>	<b>Class</b>	<b>Application No.</b>	<b>Filing Date</b>	<b>Reg. No.</b>	<b>Reg. Date</b>	<b>Status</b>		
042503-0266403	ETREPPID		US	9	78/002084	31-Mar-00	2916659	4-Jan-05	Registered		
042503-0266404	ET and Design		US	9	78/002087	31-Mar-00	2919674	18-Jan-05	Registered		
042503-0263060	INTREPID TECHNOLOGY				Unfiled						
042503-0263061	Bringing Digital to Life				Unfiled						
042503-0263064	ITV				Unfiled						

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david.jakopin@pillsburylaw.com

October 30, 2007

Via Federal Express, Tracking No. 7992 1382 6182  
and Email

Warren Trepp  
eTreppid Technologies, LLC  
755 Trademark Drive  
Reno, NV 89521

**COPY**

Re: Montgomery Patent Matters

Dear Warren:

This letter confirms the conversation that we had yesterday regarding certain of the pending patent matters that Pillsbury, Winthrop, Shaw Pittman (Pillsbury) is working on for eTreppid.

I initiated the conversation as a result of three foreign patent matters that required payment of certain fees in order to remain pending. These were EP 02803971.7; EP 01985197.1 and AU Pat. 202234168. You asked whether Dennis Montgomery was the inventor on these, and I confirmed that was the case. Based upon that, you indicated that we should not do any further work on these three matters, or any work on any other patent or patent application that names Dennis Montgomery as an inventor.

Accordingly, I have attached to this letter a list of all of the eTreppid patents and patent applications that name Dennis Montgomery as an inventor, and confirm by this letter that Pillsbury will not perform any further work on these cases, and that as such they will abandon in due course unless eTreppid acts upon them in some way.

With respect to the US applications on this list, we will file with the US Patent Office a notice of withdrawal, and with respect to US patent and US applications we will file a change of correspondence address, so that future communications regarding these matters are sent directly to eTreppid. Unless eTreppid responds in a timely manner to such communications, the pending applications will go abandoned. Similarly, issued patents will go abandoned unless maintenance fees are timely paid.

With respect to the foreign applications on this list, we will notify foreign associate counsel not to incur any further charges on these applications, and that eTreppid desires to abandon these

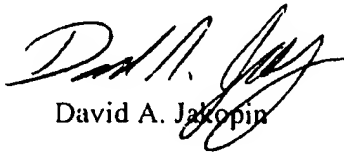
Warren Trepp  
eTreppid Technologies, LLC  
October 30, 2007  
Page 2

applications. I will tomorrow have my foreign filing paralegal forward to you a list of the foreign associate counsel that we have used, and their contact information, should eTreppid desire to do something different with respect to any one of these foreign applications.

If you would like us to transfer these files, please let us know and we can do that.

Please let me know if you have any questions.

Regards,



David A. Jakopin

Encl.

cc: Douglas Frye (w/encl.)

Client 042503  
eTreppid Technologies, LLC

Client-Matter No.: Client Ref.	Inventor(s):	Crtry.	Application No.: Date	Patent No.: Issue Date:	Status	Title
042503-0261928 ET-001	MONTGOMERY, Dennis L.	US	09/727096 Nov. 29, 2000		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303863 ET-001-AU	MONTGOMERY, Dennis L.	AU	2002234168 Nov. 2, 2001	2002234168 Mar. 22, 2007	Granted	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0129284 ET-001-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2001/051146 Nov. 2, 2001		Nat. Stage	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303868 ET-001-KR	MONTGOMERY, Dennis L.	KR	10-2003-7007275 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS, AND COOMPUTER READABLE RECORDING MEDIUM FOR
042503-0303864 ET-001-CN	MONTGOMERY, Dennis L.	CN	01822196.3 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303865 ET-001-EP	MONTGOMERY, Dennis L.	EP	01985197.1 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303866 ET-001-IN	MONTGOMERY, Dennis L.	IN	721/KOLNP/2003 Nov. 2, 2001		Pending	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303867 ET-001-JP	MONTGOMERY, Dennis L.	JP	2002-546297 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS

Client 042503  
eTreppid Technologies, LLC

Client-Matter No. Client Ref.:	Inventor(s):	Crtry:	Application No:	Patent No. Issue Date:	Status	Title:
042503-0261929 ET-002	MONTGOMERY, Dennis L.	US	09/823278 Mar. 29, 2001	7050583 May 23, 2006	Granted	METHOD AND APPARATUS FOR STREAMING DATA USING ROTATING CRYPTOGRAPHIC KEYS
042503-0140707 ET-002-PCT	MONTGOMERY, Dennis L.	WO	PCT/US02/09793 Mar. 26, 2002		Abandoned	METHOD AND APPARATUS FOR STREAMING DATA USING ROTATING CRYPTOGRAPHIC KEYS
042503-0353335 ET-002-D	MONTGOMERY, Dennis L.	US	11/383733 May 16, 2006		Abandoned	METHOD AND APPARATUS FOR STREAMING DATA USING ROTATING CRYPTOGRAPHIC KEYS
042503-0300160 ET-006-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2002/035027 Oct. 31, 2002		Abandoned	OPTICAL ENCODING OF AUDIO DATA
042503-0261933 ET-006	MONTGOMERY, Dennis L.	US	10/033537 Oct. 31, 2001	7142778 Nov. 28, 2006	Granted	OPTICAL ENCODING OF AUDIO DATA
042503-0261934 ET-007	MONTGOMERY, Dennis L.	US			Inactive	METHOD & APPARATUS FOR REAL-TIME SECURE CONTENT DELIVERY
042503-0309906 ET-008-CN	MONTGOMERY, Dennis L.	CN	Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0309907 ET-008-EP	MONTGOMERY, Dennis L.	EP	02803971.7 Oct. 31, 2002		Published	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS

Client 042503  
eTrepid Technologies, LLC

Client-Matter No.: Client Ref.	Inventor(s):	Entry	Application No.: Oct. 31, 2002	Patent No. Issue Date:	Status	Title:
042503-0309908 ET-008-IN	MONTGOMERY, Dennis L.	IN	675/KOLNP/2004 Oct. 31, 2002		Pending	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0309909 ET-008-JP	MONTGOMERY, Dennis L.	JP	2003-548542 Oct. 31, 2002		Published	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0300161 ET-008-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2002/035144 Oct. 31, 2002		Nat. Stage	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0259666 ET-008	MONTGOMERY, Dennis L.	US	09/991527 Feb. 22, 2002	6978047 Dec. 20, 2005	Granted	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0324596 ET-008-C	MONTGOMERY, Dennis L.	US	11/312964 Dec. 19, 2005		Abandoned	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0309529 ET-011-CN	MONTGOMERY, Dennis L.	CN	02826208.5 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITH IN ADJACENT BLOCKS OF DATA
042503-0309530 ET-011-EP	MONTGOMERY, Dennis L.	EP	02789356.9 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITH IN ADJACENT BLOCKS OF DATA
042503-0309531 ET-011-IN	MONTGOMERY, Dennis L.	IN	569/KOLNP/2004 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITH IN ADJACENT BLOCKS OF DATA

Client 042503  
eTreppid Technologies, LLC

Client Matter/No. Client Ref.	Inventor(s)	Entry	Application No.	Patent No. Issue Date	Status	Title
042503-0309528 ET-011-JP	MONTGOMERY, Dennis L.	JP	2003-541280 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITHIN ADJACENT BLOCKS OF DATA
042503-0300162 ET-011-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2002/035028 Oct. 31, 2002		Nat. Stage	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITHIN ADJACENT BLOCKS OF DATA
042503-0259665 ET-011	MONTGOMERY, Dennis L.	US	09/999776 Oct. 31, 2001		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITHIN ADJACENT BLOCKS OF DATA
042503-0273332 ET-012	MONTGOMERY, Dennis L.	US	09/991531 Nov. 21, 2001		Published	DATA GATHERING FOR GAMES OF CHANCE
042503-0273340 ET-014	MONTGOMERY, Dennis L.	US	09/991528 Nov. 21, 2001		Abandoned	METHOD AND SYSTEM FOR SIZE ADAPTATION AND STORAGE MINIMIZATION SOURCE NOISE CORRECTION, AND SOURCE WATERMARKING OF DIGITAL FRAMES
042503-0273341 ET-015	MONTGOMERY, Dennis L.	US	09/990868 Nov. 21, 2001	7006666 Feb. 28, 2006	Granted	METHOD AND APPARATUS FOR DETECTING AND REACTING TO OCCURRENCE OF AN EVENT
042503-0273342 ET-016	MONTGOMERY, Dennis L.	US	09/991487 Nov. 21, 2001	7058771 June 6, 2006	Granted	SYSTEM AND METHOD FOR MANAGING MEMORY IN A SURVEILLANCE SYSTEM
042503-0269273 ET-018	MONTGOMERY, Dennis L.	US	09/991490 Nov. 21, 2001		Published	SYSTEM AND METHOD FOR GENERATING ALERT CONDITIONS IN A SURVEILLANCE SYSTEM



Pillsbury  
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www.pillsburylaw.com

December 12, 2007

**CONFIDENTIAL  
COMMUNICATION**

James G. Gatto  
Phone: 703.770.7754  
james.gatto@pillsburylaw.com

**VIA U.S. CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**COPY**

Warren Trepp  
eTreppid Technologies, LLC  
755 Trademark Drive  
Reno NV 89521

Re: **Monitoring and Payment of U.S. and Foreign Annuities**  
Our ref: 042503

Dear Mr. Trepp

This letter is to confirm that, effective April 1, 2008, Pillsbury Winthrop Shaw Pittman ("Pillsbury" or "we") is no longer handling the monitoring or payment of maintenance fees on U.S. issued patents or foreign patent annuities.<sup>1</sup> Currently, we serve as a "middle man" between our clients and Computer Patent Annuities ("CPA"), which handles these payments for Pillsbury after our clients advise that payments should be made. We have come to the conclusion that our clients are able to retain this service on a much more cost-effective and streamlined basis by working directly with CPA. We have noticed that more and more clients have elected this option. Pillsbury will continue to be available to consult with you regarding decisions as to which countries you wish to pursue and maintain patent protection.

In an effort to ensure that eTreppid Technologies, LLC's patent assets are efficiently maintained, we strongly suggest that you engage CPA (or other vendor) directly to handle monitoring and payment of your annuities. CPA presently handles approximately 1,000,000 renewal payments each year and has relationships with patent and trademark offices in every

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<sup>1</sup> For U.S. patents, maintenance fees are due 3 ½, 7 ½ and 11 ½ years after patent issuance to keep the patent in force. Other countries have different annuity requirements.



Warren Trepp  
December 12, 2007  
Page 2

country in the world. CPA is in no way affiliated with Pillsbury, and other maintenance fee and annuity service companies are also available if you would like to explore other vendors. Of course, you can attend to these payments yourself (without use of a vendor), but we strongly recommend against this approach.

Working with CPA is very simple. After your patents are entered into their database, you have the option of having CPA "auto-pay" your maintenance fees and annuities, or only pay based on your express instructions. Under the auto-pay option, CPA will automatically pay all maintenance fees and annuities coming due unless you provide them instructions not to pay. You will receive a quarterly statement one quarter in advance of when payments are due, so that you have plenty of time to tell CPA not to pay a particular maintenance fee or annuity. This program prevents maintenance fees or annuities from slipping through the cracks, as all fees will be paid as the default. Of course, if you so choose, you can instead request an arrangement where your affirmative instructions to pay each fee is required (known as an "instruct account").

A list of the US and foreign cases, if any, we are currently monitoring for you, and for which any maintenance fee or annuity fee payments are due on or after **April 1, 2008**, is enclosed. Please review this list against your records to confirm its accuracy and completeness. **If we do not hear from you otherwise, we will presume that the enclosed list is accurate.**

In order to facilitate this transfer of renewal responsibility, please select an option and sign the enclosed copy of the confirmation letter and return it by **January 10, 2008**. **In the absence of your written reply by January 10, 2008, we will automatically set up an instruct account for you with CPA.** In either case, Pillsbury Winthrop Shaw Pittman ("Pillsbury") will manage the initial transfer of all applicable data to CPA and you will not incur any fees from us for this service. Once CPA has set up an account for you, we will forward the information regarding any US and foreign cases we are currently monitoring for you to CPA for payment responsibility.

Upon receipt of the enclosed confirmation letter signed by you, we will request CPA to set up an individual client account where CPA will contact you directly for renewal instructions and for payment of any renewal invoices. Unless you elect the auto-pay option, you will need to send CPA instructions to renew each case or the case will be allowed to lapse. **Please note that our firm assumes no responsibility for monitoring or payment of any maintenance or annuity fees due on or after April 1, 2008.**

We understand that the fees CPA charges for its services are assessed only on those annuities CPA actually renews. Please refer to CPA's website, [www.cpaglobal.com](http://www.cpaglobal.com), for additional


Warren Trepp  
December 12, 2007  
Page 3

information regarding CPA's service types, portfolio administration, renewal information and other patent services such as CPA Direct, which is an on-line secure portfolio management tool.

Thank you for allowing us to be of service to you in these matters. We look forward to receiving your instructions on how you would like to proceed with these matters prior to January 10, 2008. If you have any questions, please do not hesitate to call me or the project coordinator for this transfer, Liz DiNorma, at 703-770-7951 or by email at [elizabeth.dinorma@pillsburylaw.com](mailto:elizabeth.dinorma@pillsburylaw.com).

Regardless of the option you choose, we are of course happy to consult with you on strategic decisions about whether it is advisable to make or not make any such payments and other substantive matters. This change only affects the logistics of how you are notified about payments that are coming due and how the payments are made.

Very truly yours,

  
James G. Gatto  
Partner

Enclosures:

1. List of U.S. and Foreign Cases currently monitored by CPA
2. Confirmation Letter

cc: Computer Patent Annuities

**CONFIRMATION LETTER**

Pillsbury Winthrop Shaw Pittman LLP  
Attn: Liz DiNorma  
1650 Tysons Boulevard  
McLean, VA 22102

**RE: Monitoring and Payment of Patent Maintenance Fees and Annuities for:**  
Warren Trepp  
eTrepid Technologies, LLC  
755 Trademark Drive  
Reno NV 89521

Dear Colleagues:

We have selected the following option for eTrepid Technologies, LLC's future maintenance fees and annuities payments:  
*(Please select the option that will best meet your organization's needs)*

- \_\_\_\_\_ Option 1: Please have Computer Patent Annuities ("CPA") contact me to set up a quarterly automatic account for my organization and add all cases on the attached sheet. CPA will send all maintenance fee and renewal fee reminders directly to my attention. Under this option I need only to advise CPA of the cases I choose not to renew, all other cases will be paid automatically. I understand that for this option I will need to sign a contract with CPA. Until the contract is signed, the account will be an instruct account, and the payments will not be automatic. As such, until the contract is signed, I will need to send specific instructions to CPA for the renewal of each case or the case will be allowed to lapse. Pillsbury Winthrop Shaw Pittman assumes no responsibility for monitoring or payment of any maintenance fees or annuity fees due on or after April 1, 2008.
- \_\_\_\_\_ Option 2: Please have Computer Patent Annuities ("CPA") contact me to set up an instruct account for my organization and add all cases on the attached sheet. CPA will send all maintenance fee and renewal fee reminders directly to my attention. Under this option I need to send CPA instructions to renew each case or the case will be allowed to lapse. After positive instructions have been received, the cases will be renewed. I understand that for this option I will need to sign a contract with CPA. I will need to send specific instructions to CPA for the renewal of each case or the case will be allowed to lapse. I understand that CPA will charge fees for its services under this option and Pillsbury Winthrop Shaw Pittman assumes no responsibility for monitoring or payment of any maintenance fees or annuity fees due on or after April 1, 2008.
- \_\_\_\_\_ Option 3: Please do not add the cases on the attached sheet. The maintenance fees and annuities will be handled through other channels. For any US patents, Pillsbury Winthrop Shaw Pittman will file a paper designating \_\_\_\_\_ (include Customer Number) as the recipient of maintenance fee correspondence from the US Patent and Trademark Office. I understand that with this option, neither CPA nor Pillsbury Winthrop Shaw Pittman assumes responsibility for monitoring or payment of any maintenance fees or annuity fees due on or after April 1, 2008.

We hereby release and hold harmless Pillsbury Winthrop Shaw Pittman from any and all liability associated with maintenance fee and annuity payment services after April 1, 2008.

Sincerely,

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Country name	Patent / Design number	Proprietor	Client's reference	Application date	Application number	Grant date	Grant number
U.S.A.	6978047	ETREPPID TECHNOLOGIES, LLC	042503-0259666	22-Feb-02	09/991527	20-Dec-05	6978047
U.S.A.	7050583	ETREPPID TECHNOLOGIES, LLC	042503-0261929	29-Mar-01	09/823278	23-May-06	7050583
U.S.A.	7142778	INVENTOR(S)	042503-0261833	31-Oct-01	10/033537	28-Nov-06	7142778
U.S.A.	7006666	ETREPPID TECHNOLOGIES, LLC	042503-0273341	21-Nov-01	09/890868	28-Feb-06	7006666
U.S.A.	7058771	ETREPPID TECHNOLOGIES, LLC	042503-0273342	21-Nov-01	09/991487	6-Jun-06	7058771
Australia	2002234168	ETREPPID TECHNOLOGIES, LLC	042503-0303863	2-Nov-01	2002234168	22-Mar-07	2002234168
China	1822196.3	ETREPPID TECHNOLOGIES, LLC	042503-0303864	2-Nov-01	1822196.3		
Europe	1985197.1	ETREPPID TECHNOLOGIES, LLC	042503-0303865	2-Nov-01	1985197.1		
South Korea	10-2003-7007275	ETREPPID TECHNOLOGIES, LLC	042503-0303868	2-Nov-01	10-2003-7007275		
China	2826208.5	ETREPPID TECHNOLOGIES, LLC	042503-0309529	31-Oct-02	2826208.5		
Europe	2789356.9	ETREPPID TECHNOLOGIES, LLC	042503-0309530	31-Oct-02	2789356.9		
Europe	2803971.7	ETREPPID TECHNOLOGIES, LLC	042503-0309907	31-Oct-02	2803971.7		
Japan	2003-548542	ETREPPID TECHNOLOGIES, LLC	042503-0309909	31-Oct-02	2003-548542		

**Smith, Kathleen M.**

---

**From:** Jakopin, David A.  
**Sent:** Wednesday, October 03, 2007 3:38 PM  
**To:** 'warren@etreppid.com'; 'djfrye@etreppid.com'  
**Cc:** Smith, Kathleen M.  
**Subject:** RE: ET-001: Reporting Examiner Answer on Appeal  
  
**Attachments:** ET-001-AU.allowed claims.pdf; US\_SW\_600028945\_1.PDF

Warren and Doug,

The examiner's Answer at pages 10-14 specify with further clarity the logic he uses in rejecting the rejected claims. Is Zehang available to review the cited prior art reference to see if we can rebut this argument persuasively? The Examiner's argument, as well as this prior art reference, are attached.

I need comments back by Friday of this week (October 5, 2007 ) in order to file the Reply by its due date of October 8, 2007. Unless further comments are received on this, I don't see a point in submitting a Reply.

Please let me know if you'd like to discuss.

Regards,

David



ET-001-AU.allowed US\_SW\_600028945  
claims.pdf (... \_1.PDF (214 KB)...

David A. Jakopin, Esq.\*  
**Pillsbury Winthrop Shaw Pittman, LLP**  
2475 Hanover Street  
Palo Alto, CA 94304  
email: david.jakopin@pillsburylaw.com  
phone: (650) 233-4790  
fax: (650) 233-4545  
personal electronic fax: (866) 741-1874  
cellular: (650) 533-4448  
<http://pillsburylaw.com>

\* admitted in California, District of Columbia and  
Illinois

---

**From:** Smith, Kathleen M.  
**Sent:** Wednesday, August 15, 2007 6:34 PM  
**To:** warren@etreppid.com; djfrye@etreppid.com  
**Cc:** Jakopin, David A.  
**Subject:** ET-001: Reporting Examiner Answer on Appeal

All,

This application is on appeal, and the Examiner has now generated an Answer to our Appeal Brief. A copy is attached. Although we have the option to file a Reply Brief by October 8, 2007, an agreement was reached during a conference that David and the Examiner had last month to allow the matter to go before the Board of Patent Appeals with the papers presently on file.

Therefore, unless there is a reason that I am unaware of at this moment, we will allow the reply deadline to pass, and await the Board's Decision on Appeal.

Sincerely,

**Kathleen M. Smith**  
Secretary to David A. Jakopin / Joseph W. K Chan, Partners  
Lauren Nguyen, Associate  
PILLSBURY WINTHROP SHAW PITTMAN LLP  
2475 Hanover Street  
Palo Alto, CA 94304  
kathleen.smith@pillsburylaw.com  
direct line: 650-233-4575  
desktop fax: 866-947-1852

<< File: ET-001.examiners answer.PDF >>



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 05, 2001

PTAS



\*101688953A\*

PILLSBURY WINTHROP LLP  
DAVID A. JAKOPIN  
1100 NEW YORK AVENUE, N.W., 9TH FLOOR  
EAST TOWER  
WASHINGTON, D.C. 20005-3918

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/17/2001

REEL/FRAME: 011714/0432  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

MONTGOMERY, DENNIS L.

DOC DATE: 03/20/2001

**ASSIGNEE:**

ETREPPID TECHNOLOGIES, LLC  
9410 PROTOTYPE DRIVE, SUITE 18  
RENO, NEVADA 89511

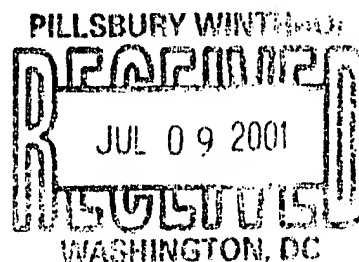
SERIAL NUMBER: 09727096

FILING DATE: 11/29/2000

PATENT NUMBER:

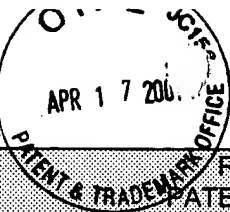
ISSUE DATE:

VIOLET MCCOY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



## BOX ASSIGNMENTS

APR 17 2001



04-26-2001



101688953

## RECORDATION FORM COVER SHEET

PATENT APPLICATIONS AND PATENTS OF

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS:

SIR: Please record the enclosed original documents or copy thereof.

## 1. NAME OF CONVEYING PARTYIES (ASSIGNORS):

a. **Dennis L. MONTGOMERY**

Additional names of conveying parties enclosed?



NO



YES

## 2. PARTY(ASSIGNEE) RECEIVING INTEREST:

NAME: **eTreppid Technologies, LLC**  
**9410 Prototype Drive, Suite 18**ADDRESS: **Reno, NV 89511**

Additional names and addresses enclosed?



NO



YES

## 3. NATURE OF CONVEYANCE:

(Submit only one document for recordation--multiple copies of same Assignment signed by different inventors is one document)



Assignment of



Whole



Part interest

Execution date: **March 20, 2001**

Change of name



Patent Application



Security



Merger



Other:

4. Execution date/s on Declaration (if filed herewith): **March 1, 2001**

## 4.5 Appl/Pat Nos.: others on additional sheets enclosed?



NO



YES

A. Pat. App. No/s

Matter #

1st inventor if not in  
item 1

B. Patent No(s)

1st inventor if not in item 1

09/727,096

0261928

## 5. Name and address of party to whom correspondence concerning document should be mailed:

**Pillsbury Winthrop LLP**  
**1100 New York Avenue N.W., 9th Floor, East Tower**  
**Washington, D.C. 20005-3918**

## 6. NUMBER INVOLVED:

Appls: **1** + Pats: **0** = TOTAL **1**

## 7. Amount of fee enclosed (Code 581):

Above Total x \$40 = **\$40.00**5.5 ATTY DKT: **73169**8. If above fee is missing or inadequate, charge  
insufficiency to DEPOSIT ACCOUNT NO. 03-3975UNDER ORDER NO.: **0261928****0261928****ETV-001**

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT/MATTER

## 9. STATEMENT AND SIGNATURE. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

PATENT AGENT  
43,464

FOR DAVID

Signature

JAKOPIN

10. Total pages including this cover sheet and document: **2**Atty: **David A. Jakopin, Reg. No. 32,995**  
Tel: **(650) 233-4790 Fax: (650) 233-4040**Date: **April 12, 2001**  
Atty/Sec: **DAJ/jw-c**

4/19/2001 JADD01 00000035 09727096

FC:581

40.00 OF

60218215v1



Please return recorded to:  
Pillsbury Winthrop LLP  
Ninth Floor, East Tower  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3918

Atty Dkt : 042503/0261928  
Client Ref: ETV-001

ASSIGNMENT  
of U.S. Origin Patent Application

WHEREAS, the undersigned, to wit: Dennis L. MONTGOMERY, (hereinafter ASSIGNOR), has made an invention entitled, *Method and Apparatus for Encoding Information Using Multiple Passes and Decoding In A Single Pass*, for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on November 29, 2000, under Serial No. 09/727,096; and

WHEREAS, eTreppid Technologies, LLC, ASSIGNEE, a corporation duly organized and existing under the laws of the State of Nevada and having its principal office and place of business at 9410 Prototype Drive, Suite 18, Reno, NV 89511, desires to acquire an interest therein;

\*\*\*

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

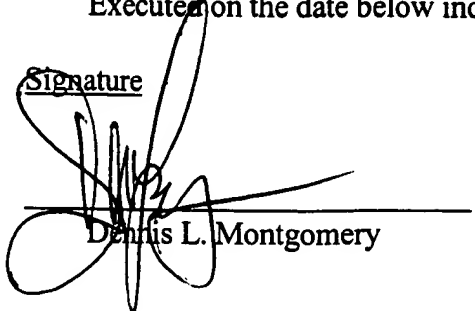
TE : The undersigned hereby authorizes Pillsbury Winthrop LLP, of the above address, to insert further identification necessary or desirable for recordation of this document.

Executed on the date below indicated.

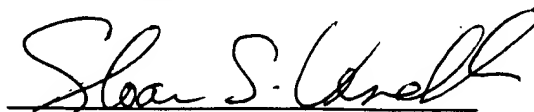
Signature

Date Signed

Witness

  
Dennis L. Montgomery

3-20-01

  
Sean S. Unruh

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED Method and Apparatus for Encoding Information Using Multiple Passes and Decoding In A Single Pass**, the specification of which was filed on November 29, 2000, under U.S. Patent Application Serial No., 09/727,096.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

<b>PRIOR FOREIGN APPLICATION(S):</b>	<b>Date first Laid-</b>	<b>Date Patented</b>	<b>Priority Claimed?</b>
<u>Number</u>	<u>open or Published:</u>	<u>or Granted:</u>	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/>
<u>Country</u>	<u>Day/MONTH/Year Filed</u>		

I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

<b>PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATIONS</b>	<b>Status</b>	<b>Priority Claimed?</b>
<u>Application No.: Day/MONTH/Year Filed:</u>	<u>(pending, abandoned, patented)</u>	<u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, tel. (650) 233-4790 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names of persons no longer with their firm and to act and rely on instructions from and communicate directly with the assignee which first sent this case to them and by which I hereby declare that I have consented after full disclosure to be represented, unless/until I instruct the above Firm in writing to the contrary.

Paul N. Kokulis	16773	Kendrew H. Colton	30368	Roger R. Wise	31204	Anthony L. Miele	34393
G. Lloyd Knight	17698	G. Paul Edgell	24238	Michael R. Dzwonczyk	36787	Robert J. Walters	40862
Kevin E. Joyce	20508	Lynn E. Eccleston	35861	W. Patrick Bengtsson	32456	Brian J. Beatus	38825
George M. Sirilla	18221	Timothy J. Klima	34852	Jack S. Barufka	37087		
Donald J. Bird	25323	David A. Jakopin	32995	Adam R. Hess	41835		
Dale S. Lazar	28872	Mark G. Paulson	30793	William P. Atkins	38821		
Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Paul L. Sharer	36004		
Glenn J. Perry	28458	Richard H. Zaiten	27248	Robin L. Teskin	35030		

INVENTOR'S SIGNATURE: \_\_\_\_\_

Date \_\_\_\_\_

3/1/01

Inventor's Name: **Dennis L. MONTGOMERY**  
 Residence (City, State): **Reno, Nevada**  
 Post Office Address: **12720 Buckthorn Lane**  
**Reno, NV 89511**

Country of Citizenship: **United States of America**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: In re Application of  
Dennis L. MONTGOMERY      Examiner: H. Mahmoudi  
Serial No. 09/727,096      Art Unit 2175  
Filed: November 29, 2000      Atty Docket: 042503-0261928  
Title: Method And Apparatus For Encoding Information Using Multiple Passes And  
Decoding In A Single Pass

**REQUEST FOR WITHDRAWAL AS ATTORNEY**  
**(37 C.F.R. Section 10.40(c))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir/Madam:

1. I, David A. Jakopin, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.
2. The basis for the request for withdrawal is 37 C.F.R. 10.40(c). Mr. Warren Trepp of eTreppid Technologies, LLC (the Assignee) requested through a telephone conversation on October 29, 2007, that Pillsbury Winthrop Shaw Pittman LLP ("Pillsbury") informing me that Pillsbury was to do no further work for any patent applications listing Dennis Montgomery as an inventor.
3. A letter confirming this conversation was mailed on October 30, 2007 (copy attached in Exhibit A (as an attachment to 12/28/07 letter)).
4. A letter dated December 28, 2007, further confirming the stop work request (copy attached as Exhibit A). Based on the client's request, we performed no further work on this application.
5. An appeal was filed on April 24, 2007, to which the Examiner replied on August

9, 2007. We informed the client by an email dated October 3, 2007 (copy attached as Exhibit B). On October 29, 2007, we were asked not to do any further work on this application. Therefore, no reply was filed.

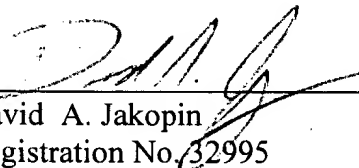
6. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including attachments, is being sent to the client. A Certificate of Proof of Service of this Request for Withdrawal as Attorney is attached hereto.

7. A copy of the recorded Assignment assigning Dennis L. Montgomery's interest in this application to eTreppid Technologies, LLC at Reel 011714, Frame 0432 is attached as Exhibit C.

8. A copy of the Power of Attorney filed in this application showing the attorneys and their registration numbers is attached as Exhibit D. As an authorized representative and the attorney who prosecuted this application, I am signing this document requesting withdrawal as attorney of record.

Date: 8-19, 2009

Respectfully submitted,

By   
David A. Jakopin  
Registration No. 32995  
Customer No.: 27498

PILLSBURY WINTHROP SHAW PITTMAN LLP  
Intellectual Property Group  
P. O. Box 10500  
McLean, VA 22102  
Telephone: (650) 233-4510  
Facsimile: (703) 770-7901



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: In re Application of  
Dennis L. MONTGOMERY Examiner: H. Mahmoudi  
Serial No. 09/727,096 Art Unit 2175  
Filed: November 29, 2000 Atty Docket: 042503-0261928  
Title: Method And Apparatus For Encoding Information Using Multiple Passes And  
Decoding In A Single Pass

**CERTIFICATE OF SERVICE BY MAIL OF**  
**REQUEST FOR WITHDRAWAL AS ATTORNEY**  
**(37 C.F.R. Section 10.40(c))**

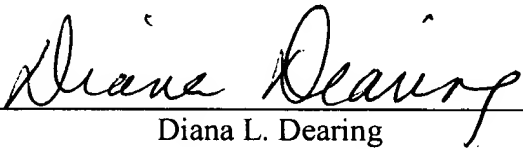
I, Diana L. Dearing, the undersigned, hereby declare as follows:

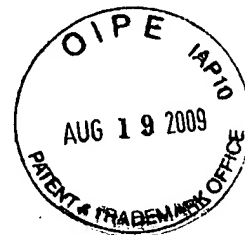
1. I am over the age of 18 years and am not a party to the within cause. I am employed by Pillsbury Winthrop Shaw Pittman LLP in the City of Palo Alto, California.
2. My business address is 2475 Hanover Street, Palo Alto, CA 94304-1114.
3. I am familiar with Pillsbury Winthrop Shaw Pittman LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service; in the ordinary course of business, correspondence placed in interoffice mail is deposited with the United States Postal Service with first class postage thereon fully prepaid on the same day it is placed for collection and mailing.
4. On , August 18, 2009, at 2475 Hanover Street, Palo Alto, California, I served a true copy of the attached document(s) titled exactly REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. Section 10.40(c)) by placing it/them in an addressed, sealed envelope clearly labeled to identify the person being served at the address shown below and placed in interoffice mail for collection and deposit in the United States Postal Service on that date following ordinary business practices:

Warren Trepp  
eTreppid Technologies, LLC  
755 Trademark Drive  
Reno, NV 89521

Douglas J. Frye, Esq.  
Attorney  
Frye & Hsieh, LLP  
24955 Pacific Coast Highway  
Suite A201  
Malibu, CA 90265-4747

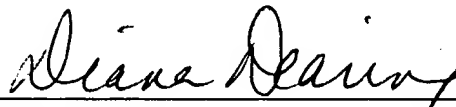
I declare under penalty of perjury that the foregoing is true and correct. Executed this 19<sup>th</sup>  
day of August 2009, at Palo Alto, California.

  
Diana L. Dearing



# CERTIFICATE OF EXPRESS MAILING

I, Diana Dearing, hereby certify that the Request for Withdrawal as Attorney (37 C.F.R. Section 10.40(c)), along with Exhibits A through D, is being deposited with the United States Postal Service, Express Mail #EV698275839US, postage prepaid, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on August 19, 2009.

  
Diana Dearing



Pillsbury  
Winthrop  
Shaw  
Pittman LLP

2475 Hanover Street  
Palo Alto, CA 94304-1114

Tel 650.233.4500  
Fax 650.233.4545  
www.pillsburylaw.com

December 28, 2007

David A. Jakopin  
Phone: 650.233.4790  
david.jakopin@pillsburylaw.com

*Via e-mail and Federal Express*

Warren Trepp  
eTreppid Technologies, LLC.  
755 Trademark Drive  
Reno, NV 89521  
[warren@etreppid.com](mailto:warren@etreppid.com)

Douglas J. Frye  
Frye & Hsieh, LLP  
24955 Pacific Coast Hwy  
Suite A-201  
Malibu, CA 90265  
[djfrye@etreppid.com](mailto:djfrye@etreppid.com)

Dear Mr. Trepp and Mr. Frye:

My letter of October 30, 2007, which letter is attached hereto, confirmed your instructions that Pillsbury should do no further work on patents or patent applications that name Dennis Montgomery as an inventor.

The firm's letter of December 12, 2007, which is also attached hereto, informed eTreppid that Pillsbury was disengaging with respect to any services that it had previously provided related to maintenance fee and annuity payments, as described in that letter. In light of the disengagement of this letter, the effective date of the disengagement for such service is today, rather than April 1, 2008, as set forth in that letter.

Pillsbury Winthrop Shaw Pittman ("Pillsbury") is now disengaging from working on any other eTreppid matter that may currently be pending. In addition to those matters identified in the attached October 30, 2007 and December 12, 2007, letters there have also been other litigation matters where Pillsbury has previously disengaged. With this letter, there is no pending matter where Pillsbury is currently representing eTreppid or any entity associated with eTreppid, including Mr. Trepp.

With respect to the disengagement of patent and trademark matters that we are disengaging on in this letter, I have attached to this letter, a list of all such matters. Pillsbury will not perform any further work on these cases, and that as such they will abandon in due course unless eTreppid acts upon them in some way.



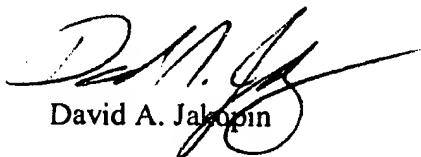
Mr. Warren Trepp  
Mr. Douglas J. Frye  
December 28, 2007  
Page 2

With respect to the pending US applications on this list, we will file with the US Patent Office a notice of withdrawal, and with respect to US patent, US patent applications and US trademark applications we will file a change of correspondence address, so that future communications regarding these matters are sent directly to eTreppid. Unless eTreppid responds in a timely manner to such communications, the pending applications will go abandoned. Similarly, issued patents and pending foreign applications will go abandoned unless maintenance fees or annuities are timely paid, as indicated in our December 12, 2007, letter, previously referenced.

If you would like us to transfer these files, please let us know and we can do that.

Please let me know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D.A. Jakopin', with a stylized flourish at the end.

David A. Jakopin

DAJ/jc

**Patent Status Report**  
**Client 042503 - eTreppid Technologies, LLC**

12/28/2007

Client Matter No.	Inventor(s)	Client Ref.:	Country	Case Type	Application No.:	Filing Date:	Patent No.:	Issue Date:	Status	Title:
042503-0261930	LEBREUX, Normand	ET-003	US	ORD					Inactive	
042503-0261931	LEBREUX, Normand	ET-004	US	ORD					Inactive	
042503-0261932	LEBREUX, Normand	ET-005	US	ORD					Inactive	
042503-0317466	SUN, Zehang	ET-019	US	PRI	11/398856	05-Apr-06			Abandoned	METHOD AND APPARATUS FOR ADAPTIVE MEAN SHIFT TRACKING
042503-0360790	SUN, Zehang	ET-019-PCT	WO	ORD	PCT/US2007/065924	04-Apr-07			Abandoned	METHOD AND APPARATUS FOR ADAPTIVE MEAN SHIFT TRACKING
042503-0317467	SUN, Zehang; ZHANG, Yongmian	ET-020	US	PRI	11/278808	05-Apr-06			Published	METHOD AND APPARATUS FOR PROVIDING MOTION CONTROL SIGNALS BETWEEN A FIXED
042503-0360791	SUN, Zehang; ZHANG, Yongmian	ET-020-PCT	WO	ORD	PCT/US2007/065926	04-Apr-07			Published	METHOD AND APPARATUS FOR PROVIDING MOTION CONTROL SIGNALS BETWEEN A FIXED
042503-0317468		ET-021	US	PRI					Inactive	CAMERA AND A PIZ CAMERA: COHERENT OBJECT DETECTION AND TRACKING
042503-0317469		ET-022	US	PRI					Inactive	HARDWARE VIDEO COMPRESSION
042503-0317470		ET-023	US	PRI					Inactive	HARDWARE BASED FACE DETECTOR
042503-0326015	TENNETI, Lalith	ET-024-P	US	PRO	60/779164	02-Mar-06			Converted	PACKET LOSS COMPENSATION ALGORITHM FOR UNICAST AND MULTICAST AUDIO AND VIDEO

**Patent Status Report**  
**Client 042503 - eTreppid Technologies, LLC**

12/28/2007

042503-0360222	TENNETI, Lalith	ET-024-PCT	WO	ORD	PCT/US2007/005680	02-Mar-07			Abandoned	PACKET LOSS COMPENSATION ALGORITHM FOR UNICAST AND MULTICAST AUDIO AND VIDEO
042503-0360214	TENNETI, Lalith	ET-024-U	US	ORD	11/681715	02-Mar-07			Abandoned	PACKET-LOSS COMPENSATION ALGORITHM FOR UNICAST AND MULTICAST AUDIO AND VIDEO
042503-0350387		ET-025	US	PRO					Inactive	OPTIMIZATION & COMPRESSION
<b>Client Matter No.</b>	<b>Mark</b>	<b>Client Ref.</b>	<b>Country</b>	<b>Class</b>	<b>Application No.</b>	<b>Filing Date</b>	<b>Reg. No.</b>	<b>Reg. Date</b>	<b>Status</b>	
042503-0266403	ETREPPID		US	9	78/002084	31-Mar-00	2916659	4-Jan-05	Registered	
042503-0266404	ET and Design		US	9	78/002087	31-Mar-00	2919674	18-Jan-05	Registered	
042503-0263060	INTREPID TECHNOLOGY				Unfiled					
042503-0263061	Bringing Digital to Life				Unfiled					
042503-0263064	ITV				Unfiled					

2475 Hanover Street  
Palo Alto, CA 94304-1114  
www.pillsburylaw.com

Tel (650) 233-4500  
Fax (650) 233-4545

David A. Jakopin  
Phone: 650.233.4790  
david.jakopin@pillsburylaw.com

October 30, 2007

Via Federal Express, Tracking No. 7992 1382 6182  
and Email

Warren Trepp  
eTreppid Technologies, LLC  
755 Trademark Drive  
Reno, NV 89521

**COPY**

Re: Montgomery Patent Matters

Dear Warren:

This letter confirms the conversation that we had yesterday regarding certain of the pending patent matters that Pillsbury, Winthrop, Shaw Pittman (Pillsbury) is working on for eTreppid.

I initiated the conversation as a result of three foreign patent matters that required payment of certain fees in order to remain pending. These were EP 02803971.7; EP 01985197.1 and AU Pat. 202234168. You asked whether Dennis Montgomery was the inventor on these, and I confirmed that was the case. Based upon that, you indicated that we should not do any further work on these three matters, or any work on any other patent or patent application that names Dennis Montgomery as an inventor.

Accordingly, I have attached to this letter a list of all of the eTreppid patents and patent applications that name Dennis Montgomery as an inventor, and confirm by this letter that Pillsbury will not perform any further work on these cases, and that as such they will abandon in due course unless eTreppid acts upon them in some way.

With respect to the US applications on this list, we will file with the US Patent Office a notice of withdrawal, and with respect to US patent and US applications we will file a change of correspondence address, so that future communications regarding these matters are sent directly to eTreppid. Unless eTreppid responds in a timely manner to such communications, the pending applications will go abandoned. Similarly, issued patents will go abandoned unless maintenance fees are timely paid.

With respect to the foreign applications on this list, we will notify foreign associate counsel not to incur any further charges on these applications, and that eTreppid desires to abandon these

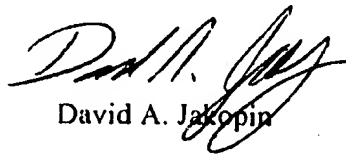
Warren Trepp  
eTreppid Technologies, LLC  
October 30, 2007  
Page 2

applications. I will tomorrow have my foreign filing paralegal forward to you a list of the foreign associate counsel that we have used, and their contact information, should eTreppid desire to do something different with respect to any one of these foreign applications.

If you would like us to transfer these files, please let us know and we can do that.

Please let me know if you have any questions.

Regards,



David A. Jakopin

Encl.

cc: Douglas Frye (w/encl.)

Client 042503  
eTreppid Technologies, LLC

Client-Matter No.: Client Ref.:	Inventor(s):	Country:	Application No.: Date:	Patent No.: Issue Date:	Status	Title:
042503-0261928 ET-001	MONTGOMERY, Dennis L.	US	09/727096 Nov. 29, 2000		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303863 ET-001-AU	MONTGOMERY, Dennis L.	AU	2002234168 Nov. 2, 2001	2002234168 Mar. 22, 2007	Granted	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0129284 ET-001-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2001/051146 Nov. 2, 2001		Nat. Stage	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303868 ET-001-KR	MONTGOMERY, Dennis L.	KR	10-2003-7007275 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS, AND COMPUTER READABLE RECORDING MEDIUM FOR
042503-0303864 ET-001-CN	MONTGOMERY, Dennis L.	CN	01822196.3 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303865 ET-001-EP	MONTGOMERY, Dennis L.	EP	01985197.1 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303866 ET-001-IN	MONTGOMERY, Dennis L.	IN	721/KOLNP/2003 Nov. 2, 2001		Pending	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS
042503-0303867 ET-001-JP	MONTGOMERY, Dennis L.	JP	2002-546297 Nov. 2, 2001		Published	METHOD AND APPARATUS FOR ENCODING INFORMATION USING MULTIPLE PASSES AND DECODING IN A SINGLE PASS

Client 042503  
eTrepid Technologies, LLC

Client-Matter No. Client Ref.	Inventor(s)	Country	Application No.	Patent No. Issue Date	Status	Title
042503-0261929 ET-002	MONTGOMERY, Dennis L.	US	09/823278 Mar. 29, 2001	7050583 May 23, 2006	Granted	METHOD AND APPARATUS FOR STREAMING DATA USING ROTATING CRYPTOGRAPHIC KEYS
042503-0140707 ET-002-PCT	MONTGOMERY, Dennis L.	WO	PCT/US02/09793 Mar. 26, 2002		Abandoned	METHOD AND APPARATUS FOR STREAMING DATA USING ROTATING CRYPTOGRAPHIC KEYS
042503-0353335 ET-002-D	MONTGOMERY, Dennis L.	US	11/383733 May 16, 2006		Abandoned	METHOD AND APPARATUS FOR STREAMING DATA USING ROTATING CRYPTOGRAPHIC KEYS
042503-0300160 ET-006-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2002/035027 Oct. 31, 2002		Abandoned	OPTICAL ENCODING OF AUDIO DATA
042503-0261933 ET-006	MONTGOMERY, Dennis L.	US	10/033537 Oct. 31, 2001	7142778 Nov. 28, 2006	Granted	OPTICAL ENCODING OF AUDIO DATA
042503-0261934 ET-007	MONTGOMERY, Dennis L.	US			Inactive	METHOD & APPARATUS FOR REAL-TIME SECURE CONTENT DELIVERY
042503-0309906 ET-008-CN	MONTGOMERY, Dennis L.	CN	Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0309907 ET-008-EP	MONTGOMERY, Dennis L.	EP	02803971.7 Oct. 31, 2002		Published	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS

Client 042503  
eTreppid Technologies, LLC

Client Matter No.: Client Ref.:	Inventor(s):	Country:	Application No.: Date:	Patent No.: Issue Date:	Status:	Title:
042503-0309908 ET-008-IN	MONTGOMERY, Dennis L.	IN	675/KOLNP/2004 Oct. 31, 2002		Pending	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0309909 ET-008-JP	MONTGOMERY, Dennis L.	JP	2003-548542 Oct. 31, 2002		Published	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0300161 ET-008-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2002/035144 Oct. 31, 2002		Nat. Stage	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0259666 ET-008	MONTGOMERY, Dennis L.	US	09/991527 Feb. 22, 2002	6978047 Dec. 20, 2005	Granted	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0324596 ET-008-C	MONTGOMERY, Dennis L.	US	11/312964 Dec. 19, 2005		Abandoned	METHOD AND APPARATUS FOR STORING DIGITAL VIDEO CONTENT PROVIDED FROM A PLURALITY OF CAMERAS
042503-0309529 ET-011-CN	MONTGOMERY, Dennis L.	CN	02826208.5 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITH IN ADJACENT BLOCKS OF DATA
042503-0309530 ET-011-EP	MONTGOMERY, Dennis L.	EP	02789356.9 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITH IN ADJACENT BLOCKS OF DATA
042503-0309531 ET-011-IN	MONTGOMERY, Dennis L.	IN	569/KOLNP/2004 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITH IN ADJACENT BLOCKS OF DATA



Client 042503  
eTreppid Technologies, LLC

Client Matter No.: Client Ref.:	Inventor(s):	Cntry:	Application No.:	Patent No.: Issue Date:	Status	Title:
042503-0309628 ET-011-JP	MONTGOMERY, Dennis L.	JP	2003-541280 Oct. 31, 2002		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITHIN ADJACENT BLOCKS OF DATA
042503-0300162 ET-011-PCT	MONTGOMERY, Dennis L.	WO	PCT/US2002/035028 Oct. 31, 2002		Nat. Stage	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITHIN ADJACENT BLOCKS OF DATA
042503-0259665 ET-011	MONTGOMERY, Dennis L.	US	09/999776 Oct. 31, 2001		Abandoned	METHOD AND APPARATUS FOR DETERMINING PATTERNS WITHIN ADJACENT BLOCKS OF DATA
042503-0273332 ET-012	MONTGOMERY, Dennis L.	US	09/991531 Nov. 21, 2001		Published	DATA GATHERING FOR GAMES OF CHANCE
042503-0273340 ET-014	MONTGOMERY, Dennis L.	US	09/991528 Nov. 21, 2001		Abandoned	METHOD AND SYSTEM FOR SIZE ADAPTATION AND STORAGE MINIMIZATION SOURCE NOISE CORRECTION, AND SOURCE WATERMARKING OF DIGITAL FRAMES
042503-0273341 ET-015	MONTGOMERY, Dennis L.	US	09/990868 Nov. 21, 2001	7006666 Feb. 28, 2006	Granted	METHOD AND APPARATUS FOR DETECTING AND REACTING TO OCCURRENCE OF AN EVENT
042503-0273342 ET-016	MONTGOMERY, Dennis L.	US	09/991487 Nov. 21, 2001	7058771 June 6, 2006	Granted	SYSTEM AND METHOD FOR MANAGING MEMORY IN A SURVEILLANCE SYSTEM
042503-0269273 ET-018	MONTGOMERY, Dennis L.	US	09/991490 Nov. 21, 2001		Published	SYSTEM AND METHOD FOR GENERATING ALERT CONDITIONS IN A SURVEILLANCE SYSTEM



Pillsbury  
Winthrop  
Shaw  
Pittman...

1650 Tysons Boulevard  
McLean, VA 22102-4859

Tel 703.770.7900  
Fax 703.770.7901  
www.pillsburylaw.com

December 12, 2007

**CONFIDENTIAL  
COMMUNICATION**

James G. Gatto  
Phone: 703.770.7754  
james.gatto@pillsburylaw.com

**VIA U.S. CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**COPY**

Warren Trepp  
eTreppid Technologies, LLC  
755 Trademark Drive  
Reno NV 89521

Re: **Monitoring and Payment of U.S. and Foreign Annuities**  
Our ref: 042503

Dear Mr. Trepp

This letter is to confirm that, effective April 1, 2008, Pillsbury Winthrop Shaw Pittman ("Pillsbury" or "we") is no longer handling the monitoring or payment of maintenance fees on U.S. issued patents or foreign patent annuities.<sup>1</sup> Currently, we serve as a "middle man" between our clients and Computer Patent Annuities ("CPA"), which handles these payments for Pillsbury after our clients advise that payments should be made. We have come to the conclusion that our clients are able to retain this service on a much more cost-effective and streamlined basis by working directly with CPA. We have noticed that more and more clients have elected this option. Pillsbury will continue to be available to consult with you regarding decisions as to which countries you wish to pursue and maintain patent protection.

In an effort to ensure that eTreppid Technologies, LLC's patent assets are efficiently maintained, we strongly suggest that you engage CPA (or other vendor) directly to handle monitoring and payment of your annuities. CPA presently handles approximately 1,000,000 renewal payments each year and has relationships with patent and trademark offices in every

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<sup>1</sup> For U.S. patents, maintenance fees are due 3 ½, 7 ½ and 11 ½ years after patent issuance to keep the patent in force. Other countries have different annuity requirements.

Warren Trepp  
December 12, 2007  
Page 2

country in the world. CPA is in no way affiliated with Pillsbury, and other maintenance fee and annuity service companies are also available if you would like to explore other vendors. Of course, you can attend to these payments yourself (without use of a vendor), but we strongly recommend against this approach.

Working with CPA is very simple. After your patents are entered into their database, you have the option of having CPA "auto-pay" your maintenance fees and annuities, or only pay based on your express instructions. Under the auto-pay option, CPA will automatically pay all maintenance fees and annuities coming due unless you provide them instructions not to pay. You will receive a quarterly statement one quarter in advance of when payments are due, so that you have plenty of time to tell CPA not to pay a particular maintenance fee or annuity. This program prevents maintenance fees or annuities from slipping through the cracks, as all fees will be paid as the default. Of course, if you so choose, you can instead request an arrangement where your affirmative instructions to pay each fee is required (known as an "instruct account").

A list of the US and foreign cases, if any, we are currently monitoring for you, and for which any maintenance fee or annuity fee payments are due on or after April 1, 2008, is enclosed. Please review this list against your records to confirm its accuracy and completeness. If we do not hear from you otherwise, we will presume that the enclosed list is accurate.

In order to facilitate this transfer of renewal responsibility, please select an option and sign the enclosed copy of the confirmation letter and return it by January 10, 2008. **In the absence of your written reply by January 10, 2008, we will automatically set up an instruct account for you with CPA.** In either case, Pillsbury Winthrop Shaw Pittman ("Pillsbury") will manage the initial transfer of all applicable data to CPA and you will not incur any fees from us for this service. Once CPA has set up an account for you, we will forward the information regarding any US and foreign cases we are currently monitoring for you to CPA for payment responsibility.

Upon receipt of the enclosed confirmation letter signed by you, we will request CPA to set up an individual client account where CPA will contact you directly for renewal instructions and for payment of any renewal invoices. Unless you elect the auto-pay option, you will need to send CPA instructions to renew each case or the case will be allowed to lapse. **Please note that our firm assumes no responsibility for monitoring or payment of any maintenance or annuity fees due on or after April 1, 2008.**

We understand that the fees CPA charges for its services are assessed only on those annuities CPA actually renews. Please refer to CPA's website, [www.cpaglobal.com](http://www.cpaglobal.com), for additional

Warren Trepp  
December 12, 2007  
Page 3

information regarding CPA's service types, portfolio administration, renewal information and other patent services such as CPA Direct, which is an on-line secure portfolio management tool.

Thank you for allowing us to be of service to you in these matters. We look forward to receiving your instructions on how you would like to proceed with these matters prior to January 10, 2008. If you have any questions, please do not hesitate to call me or the project coordinator for this transfer, Liz DiNorma, at 703-770-7951 or by email at [elizabeth.dinorma@pillsburylaw.com](mailto:elizabeth.dinorma@pillsburylaw.com).

Regardless of the option you choose, we are of course happy to consult with you on strategic decisions about whether it is advisable to make or not make any such payments and other substantive matters. This change only affects the logistics of how you are notified about payments that are coming due and how the payments are made.

Very truly yours,

  
James G. Gatto  
Partner

Enclosures:

1. List of U.S. and Foreign Cases currently monitored by CPA
2. Confirmation Letter

cc: Computer Patent Annuities

**CONFIRMATION LETTER**

Pillsbury Winthrop Shaw Pittman LLP  
Attn: Liz DiNorma  
1650 Tysons Boulevard  
McLean, VA 22102

**RE:   Monitoring and Payment of Patent Maintenance Fees and Annuities for:  
         Warren Trepp  
         eTreppid Technologies, LLC  
         755 Trademark Drive  
         Reno NV 89521**

Dear Colleagues:

We have selected the following option for eTreppid Technologies, LLC's future maintenance fees and annuities payments:  
*(Please select the option that will best meet your organization's needs)*

- \_\_\_\_\_ Option 1:     Please have Computer Patent Annuities ("CPA") contact me to set up a quarterly automatic account for my organization and add all cases on the attached sheet. CPA will send all maintenance fee and renewal fee reminders directly to my attention. Under this option I need only to advise CPA of the cases I choose not to renew, all other cases will be paid automatically. I understand that for this option I will need to sign a contract with CPA. Until the contract is signed, the account will be an instruct account, and the payments will not be automatic. As such, until the contract is signed, I will need to send specific instructions to CPA for the renewal of each case or the case will be allowed to lapse. Pillsbury Winthrop Shaw Pittman assumes no responsibility for monitoring or payment of any maintenance fees or annuity fees due on or after April 1, 2008.
- \_\_\_\_\_ Option 2:     Please have Computer Patent Annuities ("CPA") contact me to set up an instruct account for my organization and add all cases on the attached sheet. CPA will send all maintenance fee and renewal fee reminders directly to my attention. Under this option I need to send CPA instructions to renew each case or the case will be allowed to lapse. After positive instructions have been received, the cases will be renewed. I understand that for this option I will need to sign a contract with CPA. I will need to send specific instructions to CPA for the renewal of each case or the case will be allowed to lapse. I understand that CPA will charge fees for its services under this option and Pillsbury Winthrop Shaw Pittman assumes no responsibility for monitoring or payment of any maintenance fees or annuity fees due on or after April 1, 2008.
- \_\_\_\_\_ Option 3:     Please do not add the cases on the attached sheet. The maintenance fees and annuities will be handled through other channels. For any US patents, Pillsbury Winthrop Shaw Pittman will file a paper designating \_\_\_\_\_ (include Customer Number) as the recipient of maintenance fee correspondence from the US Patent and Trademark Office. I understand that with this option, neither CPA nor Pillsbury Winthrop Shaw Pittman assumes responsibility for monitoring or payment of any maintenance fees or annuity fees due on or after April 1, 2008.

We hereby release and hold harmless Pillsbury Winthrop Shaw Pittman from any and all liability associated with maintenance fee and annuity payment services after April 1, 2008.

Sincerely,

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Country name	Patent / Design number	Proprietor	Client's reference	Application date	Application number	Grant date	Grant number
U.S.A.	6978047	ETREPPID TECHNOLOGIES, LLC	042503-0259866	22-Feb-02	09/891527	20-Dec-05	6978047
U.S.A.	7050583	ETREPPID TECHNOLOGIES, LLC	042503-0261929	29-Mar-01	09/823278	23-May-06	7050583
U.S.A.	7142778	INVENTOR(S)	042503-0261933	31-Oct-01	10/033537	28-Nov-06	7142778
U.S.A.	7006666	ETREPPID TECHNOLOGIES, LLC	042503-0273341	21-Nov-01	09/890868	28-Feb-06	7006666
U.S.A.	7058771	ETREPPID TECHNOLOGIES, LLC	042503-0273342	21-Nov-01	09/891487	8-Jun-06	7058771
Australia	2002234168	ETREPPID TECHNOLOGIES, LLC	042503-0303863	2-Nov-01	2002234168	22-Mar-07	2002234168
China	1822196.3	ETREPPID TECHNOLOGIES, LLC	042503-0303864	2-Nov-01	1822196.3		
Europe	1985197.1	ETREPPID TECHNOLOGIES, LLC	042503-0303865	2-Nov-01	1985197.1		
South Korea	10-2003-7007275	ETREPPID TECHNOLOGIES, LLC	042503-0303868	2-Nov-01	10-2003-7007275		
China	2826208.5	ETREPPID TECHNOLOGIES, LLC	042503-0308529	31-Oct-02	2826208.5		
Europe	2789356.9	ETREPPID TECHNOLOGIES, LLC	042503-0308530	31-Oct-02	2789356.9		
Europe	2803971.7	ETREPPID TECHNOLOGIES, LLC	042503-0309907	31-Oct-02	2803971.7		
Japan	2003-548542	ETREPPID TECHNOLOGIES, LLC	042503-0309909	31-Oct-02	2003-548542		

**Smith, Kathleen M.**

---

**From:** Jakopin, David A.  
**Sent:** Wednesday, October 03, 2007 3:38 PM  
**To:** 'warren@etreppid.com'; 'djfrye@etreppid.com'  
**Cc:** Smith, Kathleen M.  
**Subject:** RE: ET-001: Reporting Examiner Answer on Appeal

**Attachments:** ET-001-AU.allowed claims.pdf; US\_SW\_600028945\_1.PDF

Warren and Doug,

The examiner's Answer at pages 10-14 specify with further clarity the logic he uses in rejecting the rejected claims. Is Zehang available to review the cited prior art reference to see if we can rebut this argument persuasively? The Examiner's argument, as well as this prior art reference, are attached.

I need comments back by Friday of this week (October 5, 2007 ) in order to file the Reply by its due date of October 8, 2007. Unless further comments are received on this, I don't see a point in submitting a Reply.

Please let me know if you'd like to discuss.

Regards,

David



ET-001-AU.allowed US\_SW\_600028945  
claims.pdf (... \_1.PDF (214 KB)...

David A. Jakopin, Esq.\*

**Pillsbury Winthrop Shaw Pittman, LLP**

2475 Hanover Street

Palo Alto, CA 94304

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phone: (650) 233-4790

fax: (650) 233-4545

personal electronic fax: (866) 741-1874

cellular: (650) 533-4448

<http://pillsburylaw.com>

\* admitted in California, District of Columbia and  
Illinois

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**From:** Smith, Kathleen M.  
**Sent:** Wednesday, August 15, 2007 6:34 PM  
**To:** warren@etreppid.com; djfrye@etreppid.com  
**Cc:** Jakopin, David A.  
**Subject:** ET-001: Reporting Examiner Answer on Appeal

All,

This application is on appeal, and the Examiner has now generated an Answer to our Appeal Brief. A copy is attached. Although we have the option to file a Reply Brief by October 8, 2007, an agreement was reached during a conference that David and the Examiner had last month to allow the matter to go before the Board of Patent Appeals with the papers presently on file.

Therefore, unless there is a reason that I am unaware of at this moment, we will allow the reply deadline to pass, and await the Board's Decision on Appeal.

Sincerely,

**Kathleen M. Smith**

Secretary to David A. Jakopin / Joseph W. K Chan, Partners

Lauren Nguyen, Associate

PILLSBURY WINTHROP SHAW PITTMAN LLP

2475 Hanover Street

Palo Alto, CA 94304

kathleen.smith@pillsburylaw.com

direct line: 650-233-4575

desktop fax: 866-947-1852

<< File: ET-001.examiners answer.PDF >>





**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
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Washington, D.C. 20231

JULY 05, 2001

PTAS



\*101688953A\*

PILLSBURY WINTHROP LLP  
DAVID A. JAKOPIN  
1100 NEW YORK AVENUE, N.W., 9TH FLOOR  
EAST TOWER  
WASHINGTON, D.C. 20005-3918

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/17/2001

REEL/FRAME: 011714/0432  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

MONTGOMERY, DENNIS L.

DOC DATE: 03/20/2001

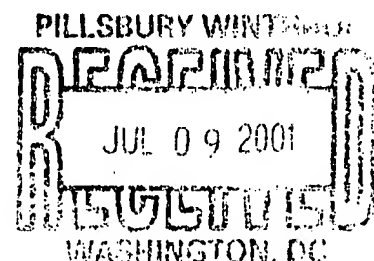
**ASSIGNEE:**

ETREPPID TECHNOLOGIES, LLC  
9410 PROTOTYPE DRIVE, SUITE 18  
RENO, NEVADA 89511

SERIAL NUMBER: 09727096  
PATENT NUMBER:

FILING DATE: 11/29/2000  
ISSUE DATE:

VIOLET MCCOY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



## BOX ASSIGNMENTS

APR 17 2001

04-26-2001

RECORDATION FORM COVER SHEET  
PATENT APPLICATIONS AND PATENTS OF

101688953

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS:  
SIR: Please record the enclosed original documents or copy thereof.

## 1. NAME OF CONVEYING PARTIES (ASSIGNORS):

a. **Dennis L. MONTGOMERY**

Additional names of conveying parties enclosed?



NO



YES

## 2. PARTY(ASSIGNEE) RECEIVING INTEREST:

NAME: **eTreppid Technologies, LLC**  
**9410 Prototype Drive, Suite 18**  
ADDRESS: **Reno, NV 89511**

Additional names and addresses enclosed?



NO



YES

## 3. NATURE OF CONVEYANCE:

(Submit only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)



Assignment of



Whole



Part interest

Execution date: **March 20, 2001**

Change of name



Patent Application



Security



Merger



Other:

4. Execution date/s on Declaration (if filed herewith): **March 1, 2001**

## 4.5 Appl/Pat Nos.: others on additional sheets enclosed?



NO



YES

A. Pat. App. No/s	Matter #	1st inventor if not in Item 1	B. Patent No(s)	1st inventor if not in item 1
09/727,096	0261928			

## 5. Name and address of party to whom correspondence concerning document should be mailed:

**Pillsbury Winthrop LLP**  
**1100 New York Avenue N.W., 9th Floor, East Tower**  
**Washington, D.C. 20005-3918**

## 6. NUMBER INVOLVED:

Applns: 1 + Pats: 0 = TOTAL 1

## 7. Amount of fee enclosed (Code 581):

Above Total x \$40 = **\$40.00**5.5 ATTY DKT: **73169**

8. If above fee is missing or inadequate, charge insufficiency to DEPOSIT ACCOUNT NO. 03-3975

UNDER ORDER NO.: **0261928****0261928****ETV-001**

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT/MATTER

## 9. STATEMENT AND SIGNATURE. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

PATENT AGENT  
43,464

FOR DAVID

Signature

JAKOPIN

10. Total pages including this cover sheet and document: **2**Atty: **David A. Jakopin, Reg. No. 32,995**  
Tel: **(650) 233-4790 Fax: (650) 233-4040**Date: **April 12, 2001**  
Atty/Sec: **DAJ/jw-c**

4/19/2001 JADD01 00000035 09727096

FC:581

40.00 OF

60218215v1

Please return recorded to:  
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Washington, D.C. 20005-3918

Atty Dkt : 042503/0261928  
Client Ref: ETV-001

ASSIGNMENT  
of U.S. Origin Patent Application

WHEREAS, the undersigned, to wit: Dennis L. MONTGOMERY, (hereinafter ASSIGNOR), has made an invention entitled, *Method and Apparatus for Encoding Information Using Multiple Passes and Decoding In A Single Pass*, for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on November 29, 2000, under Serial No. 09/727,096; and

WHEREAS, eTreppid Technologies, LLC, ASSIGNEE, a corporation duly organized and existing under the laws of the State of Nevada and having its principal office and place of business at 9410 Prototype Drive, Suite 18, Reno, NV 89511, desires to acquire an interest therein;

\*\*\*

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

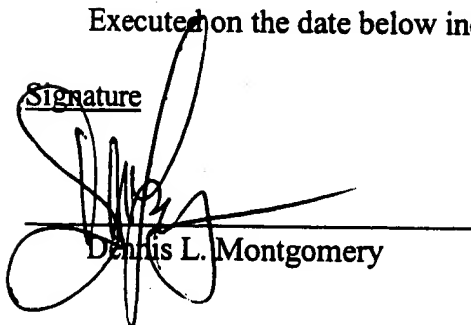
TE : The undersigned hereby authorizes Pillsbury Winthrop LLP, of the above address, to insert further identification necessary or desirable for recordation of this document.

Executed on the date below indicated.

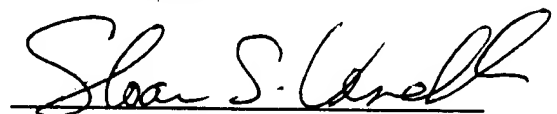
Signature

Date Signed

Witness

  
Dennis L. Montgomery

3-20-01

  
Sean S. Unell

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED Method and Apparatus for Encoding Information Using Multiple Passes and Decoding In A Single Pass**, the specification of which was filed on November 29, 2000, under U.S. Patent Application Serial No., 09/727,096.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

<b>PRIOR FOREIGN APPLICATION(S):</b>			<b>Date first Laid-</b>	<b>Date Patented</b>	<b>Priority Claimed?</b>
<u>Number</u>	<u>Country</u>	<u>Day/MONTH/Year Filed</u>	<u>open or Published:</u>	<u>or Granted:</u>	<u>Yes <input type="checkbox"/> No <input type="checkbox"/></u>

I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

<b>PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATIONS</b>		<b>Status</b>	<b>Priority Claimed?</b>
<u>Application No.:</u>	<u>Day/MONTH/Year Filed:</u>	<u>(pending, abandoned, patented)</u>	<u>Yes <input type="checkbox"/> No <input type="checkbox"/></u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, tel. (650) 233-4790 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names of persons no longer with their firm and to act and rely on instructions from and communicate directly with the assignee which first sent this case to them and by which I hereby declare that I have consented after full disclosure to be represented, unless/until I instruct the above Firm in writing to the contrary.

Paul N. Kokulis	16773	Kendrew H. Colton	30368	Roger R. Wise	31204	Anthony L. Miele	34393
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George M. Sirilla	18221	Timothy J. Klima	34852	Jack S. Barufka	37087		
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Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Paul L. Sharer	36004		
Glenn J. Perry	28438	Richard H. Zaitch	27248	Robin L. Teskin	35030		

INVENTOR'S SIGNATURE: \_\_\_\_\_

Date: 3/1/01

Inventor's Name: **Dennis L. MONTGOMERY**  
 Residence (City, State): **Reno, Nevada**  
 Post Office Address: **12720 Buckthorn Lane**  
**Reno, NV 89511**

Country of Citizenship: **United States of America**